

**IN THE UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

UNITED STATES OF AMERICA)	
)	
)	
vs.)	CR. NO. 04-00258-CG
)	
THIPKHAN VANNAVYLAYTHONG,)	
)	
Defendant.)	

ORDER

This matter is before the court on the United States' Motion for Downward Departure Pursuant to Rule 35 (Doc. 41) and the defendant's response (Doc. 43). The United States asks the court to reduce the defendant's 121-month sentence on Counts One, Two and Four because he provided substantial assistance in the investigation and prosecution of another defendant. Upon due consideration of the grounds presented, the court finds that the United States' motion is well taken and hereby **GRANTS** the motion. Based upon the information presented by both parties, the court finds that a reduction of the sentence from 121 months to 109 months on Counts One, Two and Four is appropriate.

Therefore, it is **ORDERED** that defendant **THIPKHAN VANNAVYLAYTHONG's** sentence hereby is amended, and his term of imprisonment on Counts One, Two and Four is reduced from 121 months to **109**

months¹, to run concurrently with each other and with the sentence previously imposed on Count Three, but consecutively to the sentence previously imposed on Count Five. All other terms and conditions of the sentence and judgment remain the same.

DONE and ORDERED this 24th day of April, 2012.

/s/ Callie V. S. Granade
UNITED STATES DISTRICT JUDGE

¹This reduction in sentence does not affect the sentences he received on Counts Three and Five.